



APPLICATION ACCEPTED: July 8, 2011
PLANNING COMMISSION: October 27, 2011
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

October 13, 2011

STAFF REPORT

APPLICATION PCA 2004-DR-023-03 /
SEA 00-D-006-04

DRANESVILLE DISTRICT

APPLICANT: Trinity Group, LLC

ZONING: R-1

PARCEL: 21-3 ((1)) 56A

LOCATION: 850 Balls Hill Road

PARCEL ACREAGE: 5.46 acres

PLAN MAP: Residential; 1-2 du/ac

PCA/SEA PROPOSAL: Amend the previously approved proffers and development conditions to permit a place of worship on the site of an existing private school of general education with a containment structure.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 2004-DR-023-03, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of SEA 00-D-006-04, subject to the proposed development conditions contained in Appendix 2.

Nick Rogers

Staff recommends reaffirmation of the previous approval of a deviation from the provisions of Par. 1 of Sect. 2-414 of the Zoning Ordinance, which requires the principal buildings of a non-residential use to be set back 75 feet from the right-of-way of an interstate highway (Interstate 495), to permit the modular classrooms to remain located 30 feet from Interstate 495 as shown on the GDP/SEA Plat until their removal no later than August 2, 2015.

Staff recommends that the transitional screening requirement along the eastern and southern property lines be modified to the existing landscaping as depicted on the GDP/SEA Plat.

Staff recommends that the barrier requirement along the eastern and southern property lines be waived.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

O:\nroge1\Concurrent or Multi-part Cases\PCA 2004-DR-023-03 and SEA 00-D-006-04\Staff Report\Final Staff Report Cover Trinity Group, LLC.docx



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception Amendment

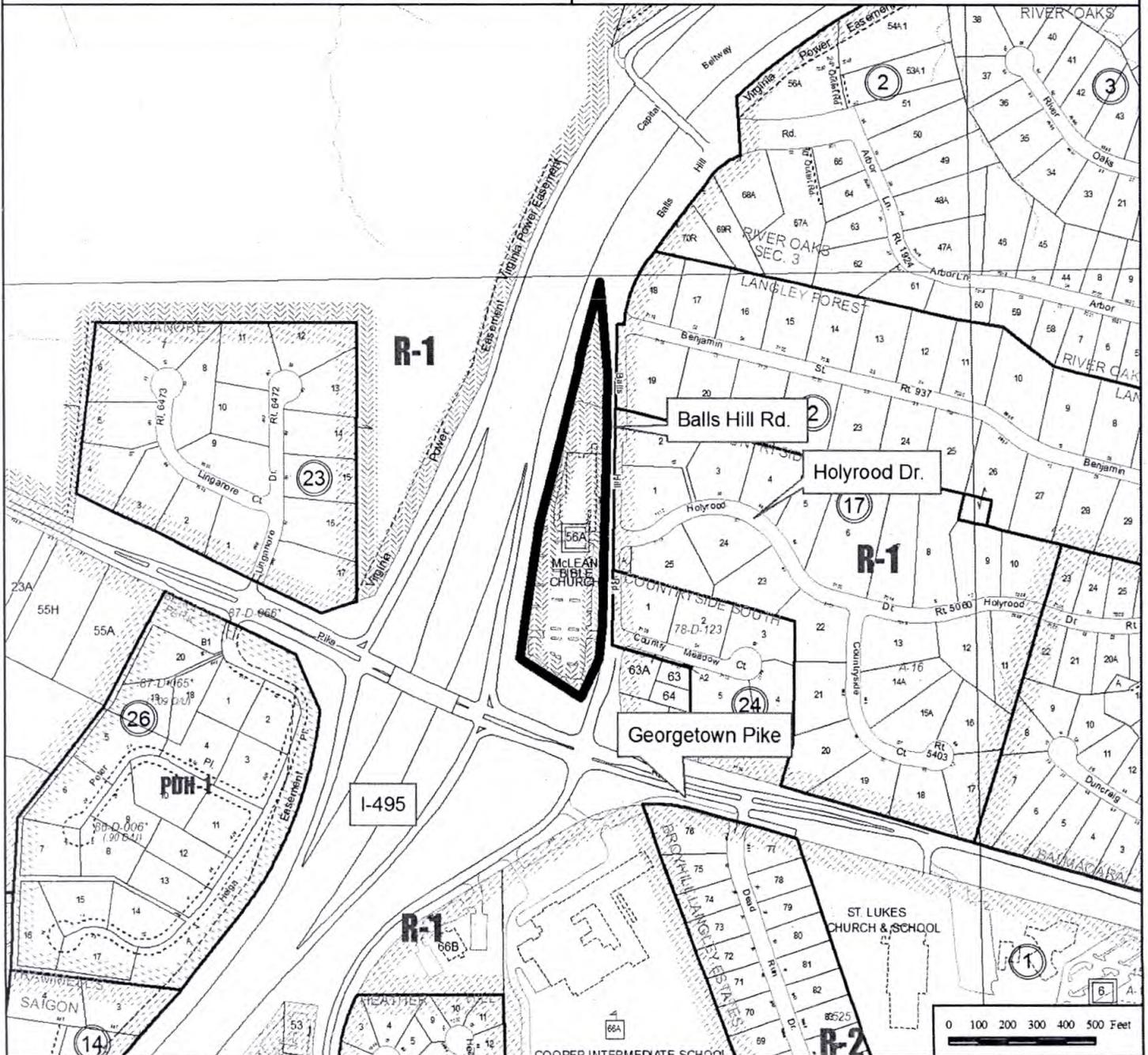
SEA 00-D-006-04

Applicant: TRINITY GROUP LLC
Accepted: 07/08/2011
Proposed: AMEND SE 00-D-006 PREVIOUSLY APPROVED FOR PRIVATE SCHOOL OF GENERAL EDUCATION TO PERMIT CHURCH WITH PRIVATE SCHOOL OF GENERAL EDUCATION AND REDUCTION IN LAND AREA
Area: 5.43 AC OF LAND; DISTRICT - DRANESVILLE
Zoning Dist Sect: 03-0104
Art 9 Group and Use: 3-15
Located: 850 BALLS HILL ROAD
Zoning: R-1
Plan Area: 2
Map Ref Num: 021-3- /01/ /0056A

Proffered Condition Amendment

PCA 2004-DR-023-03

Applicant: TRINITY GROUP LLC
Accepted: 07/08/2011
Proposed: AMEND RZ 2004-DR-023 PREVIOUSLY APPROVED FOR PRIVATE SCHOOL OF GENERAL EDUCATION TO PERMIT MODIFICATION OF APPROVED PROFFERS THE PROFFERS ASSOCIATED WITH PCA 2044-DR-023
Area: 5.46 AC OF LAND; DISTRICT - DRANESVILLE
Located: NORTHWEST QUADRANT OF THE INTERSECTION OF GEORGETOWN PIKE AND BALLS HILL ROAD
Zoning: R-1
Map Ref Num: 021-3- /01/ /0056A



TRINITY GROUP LLC.

DRANESVILLE DISTRICT
FAIRFAX COUNTY, VA

SPECIAL EXCEPTION/PROFFERED CONDITIONS AMENDMENT PLAT

PCA 2011-D-0072
SEA 11-D-0134
JUNE 13, 2011

APPLICANT / PERMIT HOLDER

TRINITY GROUP LLC.
1001 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. MCLEAN, VIRGINIA 20004
CONTACT: GLENN A. YOUNGKIN,
DEREK G. RUST
(703) 420-8683

OWNER

OAKCREST SCHOOL
850 BALLS HILL RD.
MCLEAN, VIRGINIA 22101
CONTACT: ELLEN M. CAVANAGH
(703) 796-5450 x.116

ATTORNEY

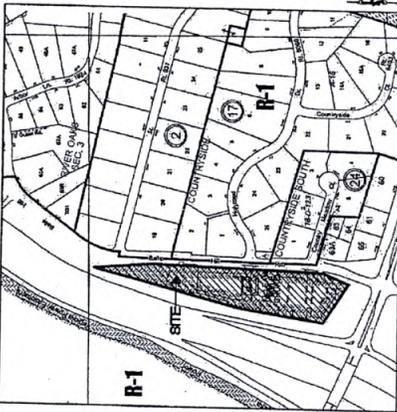
MCQUIRE WOODS LLP
1750 WINDING BLVD.
SUITE 100
MCLEAN, VIRGINIA 22102
CONTACT: LORR. GREENLIEF & GREG RIEGLE
(703) 712-5433

ENGINEER/LANDSCAPE ARCHITECT

VKA INC.
8180 GREENSBORO DRIVE, SUITE 200
MCLEAN, VIRGINIA 22102
CONTACT: BRYNE RILEY, ASLA & JOHN AMATETTI, PE.
(703) 442-7800

TRANSPORTATION PLANNER

MJ. WELLS & ASSOCIATES, INC.
1420 SPRING HILL RD.
SUITE 600
MCLEAN, VIRGINIA 22102
CONTACT: JAMILL MILANOVICH
(703) 917-6620



TM NO. 21 - 3 (0) 56A

SHEET INDEX

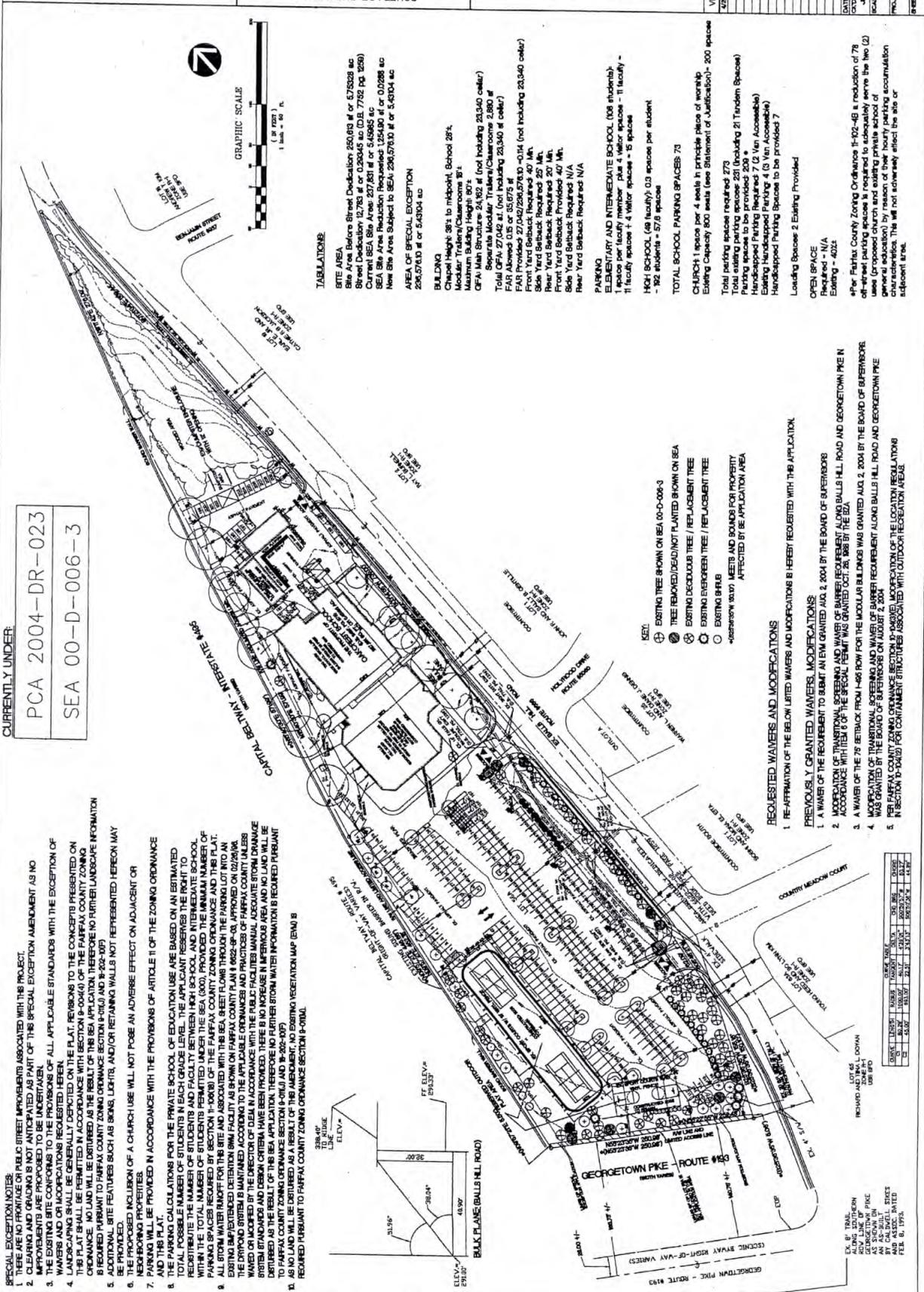
1. COVER SHEET
2. SPECIAL EXCEPTION PLAT/CERTIFIED ZONING PLAT & EXISTING CONDITIONS PLAN

EXHIBIT NOTES:

1. THE SUBJECT PROPERTY IS OWNED BY THE 20-000-0086A AND IS ZONED R-1.
2. THE SUBJECT PROPERTY IS OWNED BY OAKCREST SCHOOL.
3. THE PURPOSE OF THIS SPECIAL EXCEPTION AMENDMENT PLAT IS TO INCORPORATE A CHURCH USE TOGETHER WITH THE PRESERVE/APPROVED ZONING DISTRICT.
4. THE SITE IS UNDER EPA 20-CR-1 APPROVED ON 10-28-08 AND A VARIANCE 00-00-008 APPROVED 08-08. THE VARIANCE ALLOWS A 10% SETBACK OF 44' FROM THE SIDE OF ROAD. THE PROPERTY IS ALSO UNDER EPA 00-00-004 NOT USE AS A SCHOOL, AND DETAIL LATER IN DETAIL OF THE VARIANCE. THE VARIANCE IS ADDITIONALLY UNDER EPA 00-00-004 THROUGH WHICH A VARIANCE OF 10% SETBACK FROM THE SIDE OF ROAD IS ALLOWED FOR CONTAINMENT STRUCTURES ASSOCIATED WITH OUTDOOR RECREATION AREAS.
5. THE EXISTING INFORMATION SHOWS HEREON WAS OBTAINED FROM A CALDWELL, REEL AND ASSOCIATED AS-BUILT PLAN DATED FEB. 4, 2004.
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14. THE EXISTING INFORMATION SHOWS HEREON WAS OBTAINED FROM A CALDWELL, REEL AND ASSOCIATED AS-BUILT PLAN DATED FEB. 4, 2004.

CURRENTLY UNDER:
 PCA 2004-DR-023
 SEA 00-D-006-3

- SPECIAL EXCEPTION NOTES:**
1. THERE ARE NO PRIVATE OR PUBLIC STREET IMPROVEMENTS ASSOCIATED WITH THIS PROJECT.
 2. CLEARING AND GRADING IS NOT ANTICIPATED AS PART OF THIS SPECIAL EXCEPTION AMENDMENT AS NO IMPROVEMENTS ARE PROPOSED TO BE UNDERTAKEN.
 3. THE EXISTING SITE CONFORMS TO THE PROVISIONS OF ALL APPLICABLE STANDARDS WITH THE EXCEPTION OF WAIVERS AND OR MODIFICATIONS REQUESTED HEREIN.
 4. ALL EXISTING TREES TO BE REMOVED SHALL BE IDENTIFIED ON THE PLAN. PERMITS TO THE CONCEPTS PRESENTED ON THIS PLAN SHALL BE OBTAINED FROM THE FAIRFAX COUNTY ZONING DEPARTMENT.
 5. ADDITIONAL SITE FEATURES SUCH AS SIGNS, LIGHTS, AND/OR RETAINING WALLS NOT REPRESENTED HEREON MAY BE PROVIDED.
 6. THE PROPOSED INCLUSION OF A CHURCH USE WILL NOT POSE AN ADVERSE EFFECT ON ADJACENT OR NEIGHBORING PROPERTIES.
 7. PARKING WILL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 11 OF THE ZONING ORDINANCE AND THIS PLAN.
 8. THE PARKING CALCULATIONS FOR THE PRIVATE SCHOOL OF EDUCATION USE ARE BASED ON AN ESTIMATED TOTAL POSSIBLE NUMBER OF STUDENTS IN EACH GRADE LEVEL. THE APPLICANT RESERVES THE RIGHT TO REDEVELOP THE NUMBER OF STUDENTS AND FACILITY BETWEEN HIGH SCHOOL AND INTERMEDIATE SCHOOL. THE APPLICANT RESERVES THE RIGHT TO REDEVELOP THE NUMBER OF STUDENTS AND FACILITY BETWEEN HIGH SCHOOL AND INTERMEDIATE SCHOOL. PARKING SPACES REQUIRED BY SECTION 15-200(B) OF THE FAIRFAX COUNTY ZONING ORDINANCE SHALL BE PROVIDED FOR THIS SITE AND ASSOCIATED WITH THIS SEA SHEET FLOW THROUGH THE PARKING LOT ON THIS PLAN.
 9. ALL STORM WATER RUNOFF FOR THIS SITE AND ASSOCIATED WITH THIS SEA SHEET FLOW THROUGH THE PARKING LOT ON THIS PLAN. THE DRAINAGE SYSTEM IS MAINTAINED ACCORDING TO THE APPLICABLE ORDINANCES AND PRACTICES OF FAIRFAX COUNTY. UNLESS WANTED OR MODIFIED BY THE DIRECTOR OF DEEM IN ACCORDANCE WITH THE PUBLIC UTILITIES MANUAL ASSOCIATE STORM DRAINAGE DISTRICTS. THERE IS NO INCREASE IN IMPERVIOUS AREA AND NO LAND WILL BE DEVELOPED AS THE RESULT OF THIS SEA APPLICATION.
 10. AS NO LAND WILL BE DEVELOPED AS A RESULT OF THIS AMENDMENT, NO EXISTING VEGETATION MAP (EMV) IS REQUIRED PURSUANT TO FAIRFAX COUNTY ZONING ORDINANCE SECTION 9-00(A).



TABULATIONS:

SITE AREA
 Site Area Before Street Dedication 250,675 sf or 5.73228 ac
 Street Dedication 12,763 sf or 0.29245 ac (D.E. 7725 Pk. 1959)
 SEA 1 Site Area 237,912 sf or 5.43983 ac
 SEA 2 Site Area 237,912 sf or 5.43983 ac
 New Site Area Subject to SEA 238,573.10 sf or 5.48324 ac

AREA OF SPECIAL EXCEPTION
 238,573.10 sf or 5.48324 ac

BUILDING
 Chapel Height: 38'1" midpoint, School 28',
 Modular Training/Classrooms 18',
 Maximum Building Height: 80',
 CPN: Main Structure 24,922 sf (not including 23,340 center),
 Total GFA: 27,042 sf (not including 23,340 center)
 FAR Allowed 0.15 or 15,075 sf
 FAR Provided 27,042/23,340 = 1.159 (not including 23,340 center)
 Front Yard Setback Required 40' Min.
 Side Yard Setback Required 20' Min.
 Rear Yard Setback Required 20' Min.
 Side Yard Setback Required N/A
 Rear Yard Setback Required N/A

PARKING
 ELK HUB AND INTERMEDIATE SCHOOL (108 students),
 1 space per faculty member, plus 2 spaces - 11 faculty =
 11 faculty spaces + 4 visitor spaces = 15 spaces
 HIGH SCHOOL (49 faculty): 0.13 space per student
 - 82 students = 57.6 spaces
 TOTAL SCHOOL PARKING SPACES: 73

CHURCH 1 space per 4 seats in principle place of worship
 Existing capacity 800 seats (see Statement of Justification) - 200 spaces

Total parking spaces required 273
 Total existing parking spaces 251 (including 21 Tandem Spaces)
 Parking spaces to be provided 208 *
 Handicapped Parking Required 7 (2 Van Accessible)
 Handicapped Parking 4 (3 Van Accessible)
 Handicapped Parking Spaces to be provided 7
 Landscaping 2 Existing Provided

CPN/SPACES
 Packaged - N/A
 Existing - 40/11

*Per Fairfax County Zoning Ordinance 11-102-4B a reduction of 78 off-street parking spaces is substantially to substantially serve the two (2) same proposed church and existing private school of education accumulation characteristics. This will not adversely affect the site or adjacent street.

GRAPHIC SCALE
 1" = 100' 0"

CONTRACT PURCHASER
 TRINITY GROUP LLC
 OAK CREST SCHOOL
 DEED BOOK 11497 PAGE 0975
 FAIRFAX COUNTY, VIRGINIA

**SPECIAL EXCEPTION AMENDMENT /
 CERTIFIED ZONING PLAN
 & EXISTING CONDITIONS PLAN**

WKA REVISIONS

NO.	DATE	BY	REVISION
1	JUNE 15, 2004	DMK	ISSUED
2	JULY 1, 2004	DMK	REVISION
3	FEB 10, 2005	DMK	REVISION
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100	FEB 10, 2005	DMK	REVISION

REQUESTED WAIVERS AND MODIFICATIONS

1. RE-APPROVAL OF THE BELOW LISTED WAIVERS AND MODIFICATIONS IS HEREBY REQUESTED WITH THE APPLICATION.

PREVIOUSLY GRANTED WAIVERS, MODIFICATIONS

1. A WAIVER OF THE REQUIREMENT TO SUBMIT AN ERM DATED AUG. 2, 2004 BY THE BOARD OF SUPERVISORS
2. MODIFICATION OF TRANSITIONAL SCREENING AND WAIVER OF BUFFER REQUIREMENTS ALONG BULLS HILL ROAD AND GEORGETOWN PIKE N ACCORDANCE WITH ITEM 10 OF THE SPECIAL PERMIT WAS GRANTED OCT. 28, 2004 BY THE BOARD OF SUPERVISORS
3. A WAIVER OF THE 75' SETBACK FROM 1-600 ROW FOR THE MODULAR BUILDINGS WAS GRANTED AUG. 2, 2004 BY THE BOARD OF SUPERVISORS
4. MODIFICATION OF TRANSITIONAL SCREENING AND WAIVER OF BUFFER REQUIREMENT ALONG BULLS HILL ROAD AND GEORGETOWN PIKE WAS GRANTED BY THE BOARD OF SUPERVISORS ON AUGUST 2, 2004
5. PER FAIRFAX COUNTY ZONING ORDINANCE SECTION 9-00(A) MODIFICATION OF THE LOCATION REGULATIONS IN SECTION 15-200(D) FOR CONTAINMENT STRUCTURES ASSOCIATED WITH OUTDOOR RECREATION AREAS

KEY:

- ⊕ EXISTING TREE SHOWN ON SEA 00-0-006-3
- ⊗ TREE REMOVED/NOT PLANTED SHOWN ON SEA
- ⊙ EXISTING DECIDUOUS TREE / REPLACEMENT TREE
- EXISTING EVERGREEN TREE / REPLACEMENT TREE
- EXISTING SHRUB

*-necessary to meet MEETS AND BOUNDS FOR PROPERTY AFFECTED BY THE APPLICATION AREA

EX. 87 TRAIL
 ALONG SOUTHERN
 GEORGETOWN PIKE
 AN AS-BUILT
 PHOTOGRAPH
 DATED
 FEB. 8, 1993.

REVISIONS

NO.	DATE	BY	REVISION
1	JUNE 15, 2004	DMK	ISSUED
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REVISIONS

NO.	DATE	BY	REVISION
1	JUNE 15, 2004	DMK	ISSUED
2	JULY 1, 2004		

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

The applicant, Trinity Group, LLC, has filed concurrent requests to amend previously approved proffered conditions and to amend the development conditions associated with a previously approved a special exception for a private school of general education including a containment structure surrounding the associated sport courts.

The applicant seeks a proffered condition amendment (PCA) to amend the previously proffered GDP/SEA Plat. The revised Plat contains updated notes on the parking requirements for the property to be used by the existing private school of general education and the proposed place of worship. In addition, the Plat updates the site layout to reflect the applicant's intent to retain the existing parking spaces for both uses. The applicant seeks a special exception amendment (SEA) to permit a place of worship and to continue use of the site as a private school of general education. No building expansions or site modifications are proposed with this application. The place of worship and the school would operate at different times.

A place of worship and a private school of general education may only be permitted in R-1 districts by special exception. The applicant has requested no changes to the existing development conditions that govern the school, but has proposed additional conditions that would mitigate potential adverse impacts that the place of worship could have on the adjacent neighborhoods.

The applicant has submitted three requests for reaffirmation of waivers and modifications:

- Deviation from the provisions of Part 1 of Section 2-414 of the Zoning Ordinance, which requires that the principal buildings of a non-residential use be set back a minimum of 75 feet from the right of way of an interstate highway. The subject property is located just east of the Capital Beltway (I-495), and the principal buildings encroach into this 75-foot setback.
- Modification of the transitional screening requirement along the eastern and southern property lines in favor of the landscaping shown on the Generalized Development Plan (GDP)/SEA Plat.
- Waiver of the barrier requirement along the eastern and southern property lines.

A reduced copy of the applicant's combined GDP/SEA Plat for this zoning application is included at the front of this report. Copies of the draft proffers, proposed development conditions, affidavit, and applicant's statement of justification are included as Appendices 1-4, respectively.

LOCATION AND CHARACTER

The subject property is located at 850 Balls Hill Road, just north of its intersection with Georgetown Pike. The site’s western boundary is adjacent to the I-495, with a sound barrier wall located in the Virginia Department of Transportation’s (VDOT) right-of-way separating the property from the highway. To the east across Balls Hill Road lie the Langley Forest, Countryside, and Countryside South neighborhoods. These neighborhoods are characterized by single-family detached dwellings. Most of the neighborhood streets have no sidewalks or on-street parking. Additional information on the property’s surroundings can be found in Table 1.

The property is the site of the Oakcrest School, an all-women’s private school of general education for grades 6-12. The primary building, originally developed as a church, contains the majority of school functions. Two modular classrooms are located to the north of the primary building. Two tennis courts and a basketball court are located in the southern portion of the property.

The school is served by 209 parking spaces, with two loading spaces and 21 tandem spaces. Vehicles access the site from three access points along Balls Hill Road. A sidewalk borders the property’s entire Balls Hill Road frontage.

The site is landscaped with trees, both along its periphery and in parking lot islands. While the right-of-way for Georgetown Pike extends an average of 150 feet from the road to Oakcrest’s southern property boundary, this area is undeveloped and serves as a wide landscaped buffer for the school.

TABLE 1 - SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Comp. Plan
North	Scotts Run Nature Preserve (across I-495)	R-1	Public Park
South	Cooper Middle School	R-1	Public Facilities – Middle School
East	Residential; Single-family detached	R-1	Residential; 1-2 DUA
West	Scotts Run Nature Preserve (across I-495)	R-1	Public Park

BACKGROUND

The site was first developed in 1965 as a church with a parking field to the north, an access drive between the church and I-495, and a second parking lot to the south which was separated from the church by an expansive lawn. At the time, only an approved site plan was needed to build the church. The initial zoning application for the property, SP 73-D-151, was approved by the Board of Zoning Appeals (BZA) on September 12, 1973 to allow an addition to the original church building.

The applicant at that time, McLean Bible Church, obtained approval from the BZA for subsequent amendments to the special permit in 1973, 1986, 1988, 1992, and 1994. These amendments increased the permitted capacity of the church from 660 seats in the sanctuary to 980, while increasing the number of parking spaces from 145 to 317. The church was expanded into the original front lawn, while the parking lot was further expanded toward the property's boundary with the Georgetown Pike right-of-way.

McLean Bible Church ultimately expanded its membership beyond the feasible capacity for the site, and commenced a phased relocation in the late 1990s. The Board of Supervisors approved SEA 78-D-098-02 on January 11, 1999 for the church's new location along Leesburg Pike (Route 7) just west of Tysons Corner. The subject property was purchased by Oakcrest School and operated simultaneously as a private school of general education and a place of worship during the early 2000s.

The school's establishment was permitted by SE 00-D-006, approved by the Board of Supervisors (BOS) with conditions on July 24, 2000 to allow a private school of general education on the site. The original SE allowed Oakcrest to phase enrollment from 138 students to 300 students in grades 7-12 over the course of the school's first four years in operation, while sharing the facilities with McLean Bible Church. The approved development conditions permitted religious services on Sundays and McLean Bible Church's usage of the property until June 30, 2004. Oakcrest uses the former sanctuary space as the school's theater.

The SE has been amended three times since the original approval:

- On July 21, 2003, the BOS approved SEA 00-D-006 to add a sixth grade class, but not increase the maximum enrollment. The amendment also permitted Oakcrest to lease its facilities to third parties not affiliated with or sponsored by the school a maximum of two times per month.
- On August 2, 2004, the BOS approved SEA 00-D-006-02, which deleted the church use from the SE and permitted the addition of the two modular classrooms until August 2, 2011. The BOS concurrently approved PCA 2004-DR-023, which was filed to waive the 75-foot setback for principal buildings of a non-residential use from the right-of-way of an interstate highway. This PCA was needed to permit the addition of the modular classrooms due to the site's close proximity to I-495. Further, the PCA committed the applicant to the site layout shown on the GDP/SEA Plat and to mitigate the interior noise levels of the modular classrooms to 45 decibels (dBA).
- On June 18, 2007, the BOS concurrently approved SEA 00-D-006-03 and PCA 2004-DR-023-02. The GDP/SEA Plat associated with the application called for the removal of 124 parking spaces to accommodate new landscaped open space, outdoor play areas, and/or sport courts. The removal date for the

modular classroom was extended to August 2, 2015, and new conditions were added to allow summer camps. The previously required traffic marshal for school activities was eliminated, and the SE land area was reduced to create a side yard in the southern portion of the property to facilitate the location of three sport courts. The only change to the proffers was an update to the GDP/SEA Plat's date to reflect the site modifications.

Complete files for these applications are available in the Department of Planning and Zoning (DPZ). A copy of the approved proffers for PCA 2004-DR-023-02 and the approved development conditions for SEA 00-D-006-03 are contained in Appendix 5.

COMPREHENSIVE PLAN PROVISIONS

Plan Area/District: Area II – McLean Planning District

Planning Sector: Potomac Palisades Community Planning Sector

Plan Map: Residential; 1-2 dwelling units per acre

There is no site-specific text related to the subject parcel in the Comprehensive Plan.

ANALYSIS

Combined GDP/SEA Plat (Copy at front of staff report)

Title of GDP/Sea Plat: Trinity Group, LLC

Prepared By: VIKA

Original and Revision Dates: April 28, 2011 as revised through October 4, 2011

The combined GDP/SEA Plat consists of two sheets which show the existing school, parking field, landscaping, sport courts, and modular classrooms. No land disturbance, building additions, or site modifications are shown on the Plat.

--Reduction in Land Area

The applicant has carried forward the deletion of a five-foot wide strip of land from the SEA area that was approved with SEA 00-D-006-03. The deletion created a non-buildable outlot in order to allow the three sport courts, which were approved through a minor modification of the Special Exception in 2005, to be located in a side yard instead of a front yard along the property's Georgetown Pike frontage. According to the Zoning Ordinance, accessory uses such as sport courts are not permitted in front yards.

Given the unorthodox shape of the parcel, with its narrow, triangular form that forms a point at its northern end, the opportunities for including outdoor recreation areas as required for a private school of general education are limited. The creation of an outlot provided the applicant with greater means for using the southern end of the property for recreation purposes.

--Parking

The previously approved GDP/SEA Plat displayed removal of 124 excess parking spaces, which were planned to be replaced with either additional outdoor recreation areas or open, grassy areas. The applicant never implemented this aspect of the approved Plat. The spaces approved for removal are now shown as spaces that would remain and serve the proposed uses.

Land Use and Analysis

Issue: On-Site Parking

The applicant's request to retain the 300-student private school of general education and to reintroduce an 800-seat place of worship would require 273 parking spaces per Article 11 of the Zoning Ordinance. With only 209 regulation parking spaces available to park both of the uses, the applicant has submitted a parking reduction request to the Department of Public Works and Environmental Services (DPWES) for review. The request calls for a reduction of 64 spaces to accommodate both uses on the site, basing the rationale for the request on the opposite hours of operation that the school and church would be in use. This would theoretically limit the potential for parking overflows since the site would only be accommodating one use at a time. Staff supports the applicant's request for the place of worship to have 800 seats, contingent on an approved parking reduction request.

Demographic changes have taken place in the United States since the adoption of the Zoning Ordinance, with smaller families using multiple automobiles¹. This increase in automobile usage congests vehicle travel by increasing the number of vehicles used per household. The Zoning Ordinance's parking rate for places of worship, one space per four seats, assumes that multiple people will travel to worship services in one vehicle. This assumption does not fully reflect the contemporary demographics of today's households.

--Resolution

Staff's professional opinion is that a parking ratio of one space per three seats more adequately serves the parking needs for a place of worship. With 73 parking spaces needed to satisfy the Ordinance's parking requirement for a private school of general education, only 136 spaces would remain on site for the

¹ Average household size has declined from 3.3 persons in 1960 to 2.58 person in 2010. At the same time, vehicles per household has almost doubled over the same period from just over 1.0 to 1.9 (Source – Federal Highway Administration and Department of Energy).

place of worship. Implementing a parking ratio of one space per three seats would generate enough parking for 408 seats. The 1:3 ratio is consistent with similarly-sized applications for places of worship that have been approved by the BZA and the BOS, as seen in Appendix 6.

The existing theater in the primary building would be returned to use as a sanctuary. The pews from the building's time as a place of worship are used as the theater's seats. Staff is not supportive of conditions that would remove seats in the sanctuary to mitigate the parking impacts. Instead, Condition #6 has been modified to cap the occupancy for the place of worship at 800 members should the parking reduction be adopted by the BOS, and 400 members should the parking reduction be denied. Should the BOS adopt this condition, staff considers the issue resolved.

Issue: Overflow on to Local Streets

The DPZ files associated with the subject property show a history of adverse impacts on nearby streets related to traffic and parking congestion, including a zoning violation for not containing all parking for the place of worship use on site. With a new place of worship requesting to occupy the subject property, staff is concerned that similar impacts may occur once the church grows and begins to reach its maximum capacity.

--Resolution

The applicant has worked with nearby residents who live to the east of the site and agreed to a series of development conditions that address overflow parking and cut-through traffic associated with Sunday worship services. The applicant has agreed to appoint a parking marshal who will monitor whether Sunday worship service attendees are parking on the local residential streets and, if so, instruct them to relocate to the on-site parking. Should these efforts of the parking marshal be unsuccessful, the proposed conditions include enhanced measures, with a monetary contribution, which the applicant would have to implement to reduce overflow parking. Staff has added a development condition for a traffic marshal that mimics closely the condition under which the school currently operates, who would direct and control traffic at the beginning and end of worship services. Signs would also need to be posted on Sundays that notify motorists of the prohibition of parking on residential streets.

These new conditions, as well as those carried forward and modified related to the existing school, resolve all staff concerns associated with traffic and parking.

ZONING ORDINANCE PROVISIONS

As noted on page 4, the property's acreage that is subject to the approved PCA has front yards along Balls Hill Road and Georgetown Pike, a rear yard at the northern point of the property, and a side yard along I-495. The applicant's GDP/SEA Plat continues to show the five-foot wide outlot that was approved with the previous SEA in 2007. This

gives the school a front yard along Balls Hill Road while deeming the yards abutting Georgetown Pike and at the northern point as side yards. The yard that borders I-495 becomes a rear yard.

Table 2 reviews the site’s conformance with the R-1 setbacks with the previously approved yard determinations that are being carried forward with this request:

TABLE 2 – BULK STANDARDS FOR R-1 ZONING		
Standard	Required	Provided
Front Yard	40 feet minimum	Primary building is 40 feet from the eastern property line (Balls Hill Road)
Rear Yard	25 feet minimum	Primary building is 30 feet from the western property line (I-495)
Side Yard	20 feet	Modular classrooms are approximately 450 feet from the northern “point of the site.” Primary building is approximately 470 feet from the southern SEA boundary.
Building Height	60 feet maximum	38 feet on primary building
Floor/Area Ratio (FAR)	0.15 FAR maximum	0.11 FAR (27,042 square feet)
Parking Spaces	273 spaces	209 spaces*
Loading Spaces	2 spaces	2 spaces

* Parking reduction request is under review by DPWES. Ultimately, the item will be scheduled as an action item on a future agenda of the Board of Supervisors.

OTHER ZONING ORDINANCE REQUIREMENTS

Waivers and modifications

As noted on Page 1, the applicant has requested reaffirmation of waivers and modifications that were previously approved by the BOS. These waivers and modifications would reduce the minimum setback from an interstate highway, modify the transitional screening requirements, and waive the barrier requirements.

No building additions or side modifications have been proposed. Further, there are no new uses proposed beyond those previously evaluated and approved that would alter the previous staff support for these waivers. Therefore, staff supports the requested modifications and waivers.

Special Exception Requirements

- General Special Exception Standards (Sect. 9-006)
- Category 3 General Standards (Sect. 9-304)

- Additional Standards for Private Schools of General Education (Sect. 9-310)
- Additional Standards for Containment Structures Associated with Outdoor Recreation/Sports Facility Playing Fields/Courts and Golf Courses (Sect. 9-624)

The applicant was deemed to conform with the above standards when the original Special Exception and subsequent amendments were approved. No changes are proposed which would alter those findings. The addition of a place of worship to the site, subject to the conditions attached in Appendix 1, would not disrupt the conformity of the applicant's proposal with the above standards.

CONCLUSIONS

Staff concludes that the applicant's proposal would conform to the applicable Zoning Ordinance provisions with the adoption of the proposed development conditions. The conditions would continue to mitigate potential adverse impacts associated with the private school of general education, while placing controls on the place of worship to prevent the negative impacts seen during the previous place of worship's tenure.

STAFF RECOMMENDATION

Staff recommends approval of PCA 2004-DR-023-03, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of SEA 00-D-006-04, subject to the proposed development conditions contained in Appendix 2.

Staff recommends reaffirmation of the previous approval of a deviation from the provisions of Par. 1 of Sect. 2-414 of the Zoning Ordinance, which requires the principal buildings of a non-residential use to be set back 75 feet from the right-of-way of an interstate highway (Interstate 495), to permit the modular classrooms to remain located 30 feet from Interstate 495 as shown on the GDP/SEA Plat until their removal no later than August 2, 2015.

Staff recommends that the transitional screening requirement along the eastern and southern property lines be modified to the existing landscaping as depicted on the GDP/SEA Plat.

Staff recommends that the barrier requirement along the eastern and southern property lines be waived.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

APPENDICES

1. Draft Proffers for PCA 2004-DR-023-03 dated October 5, 2011
2. Proposed Development Conditions dated October 6, 2011
3. Affidavits for PCA 2004-DR-023-03 and SEA 00-D-006-04 dated October 6, 2011
4. Applicant's Statement of Justification
5. Letter of support from neighborhood representatives
6. Parking/Seats Analysis for Places of Worship with 700-900 seats
7. Approved Proffers for PCA 2004-DR-023-02 and Approved Development Conditions and GDP/SEA Plat for SEA 00-D-006-03
8. Glossary of Terms

PROFFERS
PCA 2004-DR-023-03
August 26, 2011
Revised October 5, 2011

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned for themselves, their successors, and assigns in PCA 2004-DR-023-03, proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Reference 21-3 ((1)) 56A (hereinafter referred to as the "Property") shall be in accordance with the following conditions (the "Proffered Conditions"), if and only if, said PCA request is granted. In the event said PCA request is denied, these Proffered Conditions shall be null and void. The Owner and Applicant, for themselves, their successors and assigns hereby agree that these Proffered Conditions shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. These Proffered Conditions supersede those adopted in conjunction with the approval PCA 2004-DR-023-02. The Proffered Conditions are:

1. Development of the Application Property shall be in substantial conformance with the SEA Plat/GDP, which was prepared by VIKA dated March 11, 2011 as revised through October 4, 2011, entitled "Trinity Group LLC" and containing two sheets.
2. The Applicant shall maintain materials on the modular buildings with the following characteristics to achieve a maximum interior noise level of 45 of BA Ldn:
 - a. Exterior walls shall have a laboratory STC rating of at least 39.
 - b. Doors and windows shall have a laboratory STC rating of at least 28.
If windows constitute more than 20% of any façade, they should have the same laboratory STC as walls.

SUCCESSORS AND ASSIGNS

These proffers shall bind and inure to the benefit of the Applicant and his/her successors and assigns.

COUNTERPARTS

These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.

Signatures on Following Pages

Trinity Group, LLC
Contract Purchaser of 21-3((1))56A

By: _____ (seal)

Name: _____

Title: _____

PROPOSED DEVELOPMENT CONDITIONS

SEA 00-D-006-04

October 13, 2011

If it is the intent of the Board of Supervisors to approve SEA 00-D-006-04 located at 850 Balls Hill Road, Tax Map 21-3 ((1)) 56A, for an existing private school of general education (the School) with a containment structure to permit the addition of a place of worship (the Church) to the site, pursuant to Sect. 9-006 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. A copy of this Special Exception Amendment and the Non-Residential Use Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director of the Department of Public Works and Environmental Services (DPWES). The use of the site shall be in substantial conformance with the approved Special Exception Plat entitled "Trinity Group LLC.", prepared by VIKA, dated April 28, 2011 and as revised through October 4, 2011, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. The maximum daily enrollment of the School shall be limited to 300 students.
6. The maximum occupancy for the place of worship shall be limited to 800 members if a parking reduction or other similar shared parking agreement is approved by the Board of Supervisors. Should the parking reduction or other similar shared parking agreement be denied by the Board of Supervisors, the maximum occupancy shall be limited to 400 members.
7. Normal hours of operation for the School shall be limited to 7:00 a.m. until 5:00 p.m., Monday through Friday. Class hours shall be limited to approximately 7:50 a.m. until 3:00 p.m., Monday through Friday. Evening hours of operation for parent-teacher conferences and similar activities shall be limited to until 11:00 p.m. Monday through Friday. Normal extracurricular activities and other

school-only activities shall end by 6:00 p.m., daily. Other school activities, such as fundraising events, school plays, musicals and concerts, shall end by 12:00 midnight.

8. Any on-site summer camp and summer school activities shall be subject to the following restrictions:
 - a) No more than one session of summer camp and summer school activities may take place on-site per day.
 - b) The total maximum daily enrollment in summer camp and summer school activities shall not exceed 300 participants, provided that it can be demonstrated to the Department of Public Works and Environmental Services (DPWES) and the Department of Planning and Zoning (DPZ) that all required parking can be provided on-site.
 - c) Participants shall be limited to students entering 1st grade through 12th grade; however, in order to limit the amount of outdoor activities and to address noise concerns, on a daily basis there shall be no more than 50 students entering 1st grade through 4th grade on site at any one time.
 - d) Summer camp and summer school activities may begin one week after the official end of the school year for the School and must terminate no later than two weeks before the official start of the school year for the School.
 - e) The hours of operation of the summer camp and summer school activities shall be limited to 8:00 a.m. until 5:00 p.m., Monday through Friday.
 - f) In order to address possible noise issues, outside activities shall be limited to no more than 50 people at any one time and shall only be permitted between the hours of 8:00 a.m. and 4:00 p.m.
 - g) During any summer camp and summer school activities having a maximum daily enrollment of 100 students or more, a traffic marshal shall be provided to direct and control traffic at the School's primary entrance from Balls Hill Road, for two 30-minute periods per weekday, defined as the one-half hour before the beginning of summer camp and summer school activities and one-half hour after the end of summer camp and summer school activities, Monday through Friday. In addition, the starting and ending times of summer camp and summer school activities shall be coordinated to the maximum extent possible in order to stagger the arrival and departure time of traffic.
 - h) Upon demonstration that: 1) the arrival and departure patterns do not cause congestion at the site entrances as evidenced by any entrance study submitted by the applicant upon demand of Fairfax County and reviewed by the Zoning Administrator; and, 2) submission of a petition of non-opposition signed by a majority of the 24 residences on Holyrood Drive, the Zoning Administrator or his/her designee may administratively suspend the use of a

traffic marshal for summer school and summer camp activities. In the event that a written complaint regarding summer school and/or summer camp traffic congestion is received by the Zoning Administrator or the Department of Code Compliance (DCC), the Zoning Administrator may administratively reinstate the requirement to use a traffic marshal as described in condition 8g above. In this instance, no subsequent request for administrative suspension of the traffic marshal requirement shall be made for a period of two years.

9. Prior to the first day of school each year, a neighborhood liaison committee shall be established by the School and Church to meet with interested neighbors on a quarterly basis to discuss and address neighborhood concerns regarding the operations of the School and Church as they relate to impacts on the surrounding neighborhood. The neighborhood liaison committee shall provide a contact person and telephone number to interested neighbors, and provide the information to the Dranesville Supervisor's office prior to the first day of school or September 1 each year, whichever occurs first.
10. The church shall provide to the Dranesville District Supervisor's office and an authorized representative of the adjacent neighborhood with a contact name, number and address for the Church and a contact name, number and address for the School and shall update this contact information annually as necessary.
11. All car pool stacking shall occur on site.
12. The School shall establish a car pool coordinator to promote the maximum use of car pools with maximum occupancy vehicles for the picking up and dropping off of students.
13. If determined necessary by the Zoning Administrator based on documented complaints received by any Fairfax County agency or official regarding traffic, a traffic marshal shall be provided by the applicant to direct and control traffic at the site's main entrance on Balls Hill Road at the median break during the following time periods:
 - a) Two 30-minute periods per school day, defined as the one-half hour before the beginning of classes and the one-half hour after the end of classes, Monday through Friday, on school days during the regular school year and anytime attendance on the site is expected to equal or exceed that which occurs during the regular school day as a result of students, staff, and visitors.
 - b) Two 30-minute periods per worship service or Church event, defined as the one-half hour before the service or event and the one-half hour after the end of the service or event, on days when the attendance on the site is expected to equal or exceed that which occurs during a regular worship service or Church event as a result of church members, staff and visitors

Prior to the imposition of any requirement for a traffic marshal, the Zoning Administrator shall notify the applicant of the nature and substance of any documented complaints and provide a reasonable opportunity to voluntarily take appropriate corrective action.

14. The School or Church shall be permitted to lease its facilities to community organizations not affiliated with or sponsored by the School or Church subject to the following restrictions:
 - The leasing of facilities shall not be permitted during normal School hours of operation (7:00 a.m. to 6:00 p.m., Monday through Friday) or worship services.
 - The facility may be leased a maximum of eight times per month; however, no more than four events per month shall have more than 50 people in attendance. Any events which have more than 50 people in attendance shall provide a traffic marshal to direct and control traffic at the primary site entrance on Balls Hill Road for two 30-minute periods, defined as the one-half hour before the scheduled start of the event and the one-half hour after the scheduled end of the event.
 - Upon demonstration that: 1) arrival and departure patterns do not cause congestion at the site entrance as evidenced by an entrance study reviewed by County staff; and, 2) submission of a petition of non-opposition signed by a majority of the 24 residences on Holyrood Drive, the Zoning Administrator or his/her designee may administratively suspend the use of a traffic marshal for community organization events. In the event that a written complaint regarding community organization event traffic is received by DCC or DPZ, the Zoning Administrator may administratively reinstate the requirement to use a traffic marshal as described above. In this instance, no subsequent request for administrative suspension of the traffic marshal requirement shall be made for a period of two years.
 - Community events shall terminate by 11:00 p.m.
15. All vehicle parking shall be provided on site. If additional parking is required during any special School, Church, or community organization event, the applicant shall utilize appropriate off-site parking facilities, as determined by the Director of the Department of Public Works and Environmental Services (DPWES,) from which participants shall be transported by shuttle bus to the event. Shuttle bus traffic shall not use local residential streets, which include, but are not limited to, Holyrood Drive, Benjamin Street and Lawton Street, to reach off-site parking locations. Information detailing the location of off-site parking areas and shuttle bus details shall be included in all advertisements and notices for these events. In addition, a traffic marshal shall be provided to direct and control traffic at the site entrance on Balls Hill Road, at the median break opposite Holyrood Drive, for two 30-minute periods, defined as the one-half hour before the scheduled start of the event and the one-half hour after the scheduled end of the event. The applicant shall provide adequate traffic

controls for such overflow parking. The applicant shall take all reasonable actions to prevent on-site parking by commuters or other parking not related directly to the operation of the School or Church.

16. Parking spaces shall not be used for any purpose which interferes with their parking use by School faculty, staff, students and employees, or Church members, visitors and employees. Any buses or vans which park on site overnight shall park on the side of the building adjacent to the I-495 noise wall. Only buses serving the School or Church shall be parked on the property.
17. School faculty, staff students and employees, or Church members, visitors and employees shall be instructed not to use surrounding local residential streets including, but not limited to, Holyrood Drive, Benjamin Street and Lawton Street to access Georgetown Pike. Notice stating this restriction as well as the prohibition against parking on the neighborhood streets shall be placed in the Church's weekly bulletin or other similar publication.
18. At least one hour prior to worship services that take place on Sundays, signs shall be posted on the property as well as at the entrance to Holyrood Drive and Country Meadow Court indicating that parking in the neighborhood and cut-through traffic through the neighborhood is prohibited. These signs shall be removed within one hour after the last scheduled service. Renderings of signs to be posted at the entrance to Holyrood Drive and Country Meadow Court shall be submitted for review and reasonably approved by a community representative within 90 days of the issuance of a Non-Residential Use Permit.
19. A parking marshal shall be provided on Sundays beginning 45 minutes prior to each scheduled worship service, whose job is to: 1) direct traffic into the site's parking lot; 2) monitor whether parking is occurring on the adjacent local residential streets and inform worship service attendees to relocate their vehicle to an on-site parking space and 3) instruct worship service attendees to not use the adjacent local residential streets in travelling to and from the site.
20. To ensure the general adequacy of parking for the uses on the site and to further ensure that parking impacts are confined to the subject property, the parking marshal referenced above shall measure and record parking lot usage for weekly worship services and special events. This information shall be made available upon request to members of the public. At the time that parking lot usage exceeds 95% of the total spaces on site for any individual service for four consecutive Sundays, the Church will, within 30 days, provide to a community representative a parking plan. Such parking plan shall be subsequently implemented, and may include, but not be limited to, the following mitigation measures:
 - Additional worship services shall be added to better distribute the demand for parking; and,
 - Other methods of reducing on-site parking demand as may be identified in consultation with representatives of the local community.

The parking marshal shall continue to measure and record parking lot usage to assess the effectiveness of the parking plan's mitigation measures. Such measures shall remain in force until the parking lot usage falls below 95% of the total spaces for all worship services on four consecutive Sundays.

Should monitoring show that parking lot usage meets or exceeds 100% of the total spaces on site for any individual service for four consecutive Sundays during the implementation period, the applicant shall provide a one-time contribution of \$35,000 to establish a fund to support the establishment of off-site parking facilities for Church usage within 30 days of the fourth Sunday that monitoring data was collected. The off-site parking facility, as approved by the Director of DPWES, shall be used for the transport of worship service attendees by shuttle bus to the Church.

In the event that the parking lot usage falls below 100% of the total spaces for all worship services on four consecutive Sundays after the establishment of the off-site parking facility, the applicant may terminate the usage of the facility. If the applicant terminates the usage of the facility, the remainder of the original \$35,000 contribution which supported the facility shall be returned to the applicant.

21. Transitional screening requirements along Balls Hill Road shall be modified to permit the existing landscaping to satisfy the screening requirement with the following conditions:
 - Evergreen trees shall be provided in front of all of the parking spaces between the main parking lot and the stormwater management pond to provide continuous year-round full screening of the parked vehicles and headlight glare, subject to UFM approval.
 - The parking lot located north of the existing building shall be screened with evergreen trees or shrubs to the extent feasible given the narrow width of the planting strip between the parking spaces and the road, subject to UFM approval.
 - All diseased and/or dying plant material shall be replaced as necessary to maintain a continuous year-round screen, particularly between the parking areas and the residential neighborhood, as approved by UFM. The grass shall be mowed as needed in accordance with realistic and accepted horticultural practices.

22. Any new outdoor lighting shall be in conformance with the Performance Standards for Outdoor Lighting contained in Part 9 of Article 14 of the Zoning Ordinance. The maximum height of the light standards and fixtures shall not exceed twelve (12) feet. Except for emergency safety lights, parking lot lighting shall be extinguished no later than 10:00 p.m. daily with the exception of special events subject to Development Conditions 7 and 15 above. Except for emergency safety lights, all interior lights shall be extinguished no later than 10:00 p.m. daily with the exception of special events subject to Development Conditions 7 and 14 above.
23. Except for emergencies, the use of outdoor loudspeakers shall be prohibited. There shall be no exterior bells or buzzers. The lawns shall not be mowed on weekends.
24. The trash dumpster shall be fully screened from view by a masonry wall which has been designed to be compatible with the building materials, as determined by DPWES. Trash removal shall not occur before 7:00 a.m. On the days of trash pick-up, the subject site shall be patrolled by employees to pick up any trash on-site and to ensure that the doors to the dumpster enclosure are fully closed and in good working condition.
25. Stormwater management, including BMPs, shall be provided for as determined by DPWES.
26. Written notice shall be sent to the Dranesville District Supervisor's office, the McLean Citizens' Association (MCA), and an authorized representative of the 24 residences on Holyrood Drive, 6 months prior to filing any amendment to this Special Exception. The School or Church may be permitted to file an amendment to this Special Exception without said written notice only if this notice is waived by a petition signed by an authorized representative of the twenty-four (24) residences on Holyrood Drive.
27. The two existing modular classrooms shall be permitted on the subject site as shown on the Special Exception Amendment Plat until August 2, 2015. In addition, a row of shrubs shall be maintained in front of the proposed modular classrooms and wood deck sitting area to provide additional screening from Balls Hill Road. Within 90 days of the removal of the modular classrooms, the applicant shall scarify any asphalt existing or other hard surface material and convert the former footprint of the modular classrooms to landscaped open space.
28. The storage shed shall be no taller than 8 ½ feet.
29. A minimum of 45 minutes shall be provided between the completion of one worship service and the commencement of the next worship service.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by the issuance of a Non-Residential Use Permit for either the private school of general education or the place of worship. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

REZONING AFFIDAVIT

DATE: SEP 26 2011
 (enter date affidavit is notarized)

I, Lori R. Greenlief, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 112644a

in Application No.(s): PCA 2004-DR-023-03
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Trinity Group, LLC Agent: Glenn A. Youngkin Derek G. Rust	1001 Pennsylvania Avenue, NW Washington, DC 20004	Applicant/Contract Purchaser of Tax Map Number 21-3 ((1)) 56A
Oakcrest School Agent: Ellen M. Cavanagh	850 Balls Hill Road McLean, VA 22101	Title Owner of Tax Map Number 21-3 ((1)) 56A
VIKA, Incorporated Agent: John F. Amatetti Bryne D. Riley	8180 Greensboro Drive, Suite 200 McLean, VA 22102	Engineer/Agent
M.J. Wells & Associates, Inc. Agent: Jami L. Milanovich William F. Johnson Brent M. Tucker Robin L. Antonucci	1420 Spring Hill Road, Suite 600 McLean, VA 22102	Traffic Consultant/Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Rezoning Attachment to Par. 1(a)

DATE: SEP 26 2011
(enter date affidavit is notarized)

11 2644a

for Application No. (s): PCA 2004-DR-023-03
(enter County-assigned application number (s))

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. David R. Gill Jonathan P. Rak Gregory A. Riegler Mark M. Viani Kenneth W. Wire Sheri L. Akin Lisa M. Chiblow Lori R. Greenlief	1750 Tysons Boulevard, Suite 1800 Tysons Corner, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT
SEP 26 2011

DATE: _____
(enter date affidavit is notarized)

112644a

for Application No. (s): PCA 2004-DR-023-03

(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, **and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:**

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES,** and **REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Trinity Group, LLC
1001 Pennsylvania Avenue, NW
Washington, DC 20004

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Suzanne S. Youngkin

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer,** etc.)

Suzanne S. Youngkin, Manager
Glenn A. Youngkin, Manager

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: SEP 26 2011
(enter date affidavit is notarized)

11 2644

for Application No. (s): PCA 2004-DR-023-03
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

VIKA, Incorporated
8180 Greensboro Drive, Suite 200
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

John F. Amatetti	Mark G. Morelock
Charles A. Irish, Jr.	Jeffrey B. Amateau
Harry L. Jenkins	Kyle U. Oliver
Robert R. Cochran	P. Christopher Champagne

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

M.J. Wells & Associates, Inc. Employee Stock Ownership Trust (ESOT). All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: SEP 26 2011
(enter date affidavit is notarized)

112644a

for Application No. (s): PCA 2004-DR-023-03
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Oakcrest School
850 Balls Hill Road
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

Oakcrest School is a District of Columbia corporation (non-profit and non-stock)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

Board of Directors: Othon Wiltz, President, Brendy Esmond, Vice-President, Mark Kehrl, Secretary, Dawn Carpenter, Treasurer, Renee Austell, Lee Dixon, Shaun Pacious, Barry Sharp, Tess Sulit, Moira Walsh, Ellen M. Cavanagh
Trustees: Lorraine Anderson, Ann Brach, Dorothy Duffy, Kathy McGarry, Helena Metzger

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer, etc.**)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: SEP 26 2011
(enter date affidavit is notarized)

112644a

for Application No. (s): PCA 2004-DR-023-03
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

Equity Partners of McGuireWoods LLP

- | | | |
|-------------------------|-----------------------|-----------------------|
| Adams, John D. | Beil, Marshall H. | Burk, Eric L. |
| Alphonso, Gordon R. | Belcher, Dennis I. | Busch, Stephen D. |
| Anderson, Arthur E., II | Bell, Craig D. | Cabaniss, Thomas E. |
| Anderson, Mark E. | Beresford, Richard A. | Cacheris, Kimberly Q. |
| Andre-Dumont, Hubert | Bilik, R. E. | Cairns, Scott S. |
| Bagley, Terrence M. | Blank, Jonathan T. | Capwell, Jeffrey R. |
| Barger, Brian D. | Boland, J. W. | Cason, Alan C. |
| Barnum, John W. | Brenner, Irving M. | Chaffin, Rebecca S. |
| Becker, Scott L. | Brooks, Edwin E. | Cobb, John H. |
| Becket, Thomas L. | Brose, R. C. | Cogbill, John V., III |

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(c)

DATE: SEP 26 2011
(enter date affidavit is notarized)

112644a

for Application No. (s): PCA 2004-DR-023-03
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

- | | | |
|------------------------|---------------------------|----------------------------|
| Covington, Peter J. | Gibson, Donald J., Jr. | Kilpatrick, Gregory R. |
| Cramer, Robert W. | Glassman, Margaret M. | King, Donald E. |
| Cromwell, Richard J. | Glickson, Scott L. | King, Sally D. |
| Culbertson, Craig R. | Gold, Stephen (nmi) | Kittrell, Steven D. |
| Cullen, Richard (nmi) | Goldstein, Philip (nmi) | Kobayashi, Naho (nmi) |
| Cutler, Christopher M. | Grant, Richard S. | Kratz, Timothy H. |
| Daglio, Michael R. | Greenberg, Richard T. | Krueger, Kurt J. |
| De Ridder, Patrick A. | Grieb, John T. | Kutrow, Bradley R. |
| Dickerman, Dorothea W. | Harmon, Jonathan P. | La Fratta, Mark J. |
| DiMattia, Michael J. | Harmon, T. C. | Lias-Booker, Ava E. |
| Dooley, Kathleen H. | Hartsell, David L. | Lieberman, Richard E. |
| Downing, Scott P. | Hatcher, J. K. | Little, Nancy R. |
| Edwards, Elizabeth F. | Hayden, Patrick L. | Long, William M. |
| Ensing, Donald A. | Hayes, Dion W. | Manning, Amy B. |
| Ey, Douglas W., Jr. | Heberton, George H. | Marianes, William B. |
| Farrell, Thomas M. | Hedrick, James T., Jr. | Marks, Robert G. |
| Feller, Howard (nmi) | Horne, Patrick T. | Marshall, Gary S. |
| Fennebresque, John C. | Hosmer, Patricia F. | Marshall, Harrison L., Jr. |
| Foley, Douglas M. | Hutson, Benne C. | Marsico, Leonard J. |
| Fox, Charles D., IV | Isaf, Fred T. | Martin, Cecil E., III |
| France, Bonnie M. | Jackson, J. B. | Martin, George K. |
| Franklin, Ronald G. | Jarashow, Richard L. | Martinez, Peter W. |
| Fratkin, Bryan A. | Jordan, Hilary P. | Mason, Richard J. |
| Freedlander, Mark E. | Kanazawa, Sidney K. | Mathews, Eugene E., III |
| Freeman, Jeremy D. | Kannensohn, Kimberly J. | Mayberry, William C. |
| Fuhr, Joy C. | Katsantonis, Joanne (nmi) | McCallum, Steven C. |
| Gambill, Michael A. | Kerr, James Y., II | McDonald, John G. |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: SEP 26 2011
(enter date affidavit is notarized)

112644a

for Application No. (s): PCA 2004-DR-023-03
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

McElligott, James P.
McFarland, Robert W.
McIntyre, Charles W.
McLean, J. D.
McRill, Emery B.
Moldovan, Victor L.
Muckenfuss, Robert A.
Muir, Arthur B.
Murphy, Sean F.
Natarajan, Rajsekhar (nmi)
Neale, James F.
Nesbit, Christopher S.
Nickens, Jacks C.
O'Grady, Clive R.
O'Grady, John B.
O'Hare, James P.
Oakey, David N.
Oostdyk, Scott C.
Padgett, John D.
Parker, Brian K.
Phears, H. W.
Phillips, Michael R.
Plotkin, Robert S.
Pryor, Robert H.
Pusateri, David P.
Rak, Jonathan P.

Rakison, Robert B.
Reid, Joseph K., III
Richardson, David L.
Riegle, Gregory A.
Riley, James B., Jr.
Riopelle, Brian C.
Roberts, Manley W.
Robinson, Stephen W.
Rogers, Marvin L.
Rohman, Thomas P.
Rosen, Gregg M.
Rust, Dana L.
Satterwhite, Rodney A.
Scheurer, P. C.
Schewel, Michael J.
Schill, Gilbert E., Jr.
Schmidt, Gordon W.
Sellers, Jane W.
Shelley, Patrick M.
Simmons, L. D., II
Simmons, Robert W.
Skinner, Halcyon E.
Slone, Daniel K.
Spahn, Thomas E.
Spitz, Joel H.
Stallings, Thomas J.

Steen, Bruce M.
Stein, Marta A.
Stone, Jacquelyn E.
Swan, David I.
Tackley, Michael O.
Tarry, Samuel L., Jr.
Thornhill, James A.
Van der Mersch, Xavier G.
Vaughn, Scott P.
Vick, Howard C., Jr.
Viola, Richard W.
Wade, H. L., Jr.
Walker, John T., IV
Walker, W. K., Jr.
Walsh, James H.
Watts, Stephen H., II
Westwood, Scott E.
Whelpley, David B., Jr.
White, H. R., III
White, Walter H., Jr.
Wilburn, John D.
Williams, Steven R.
Wren, Elizabeth G.
Young, Kevin J.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

DATE: SEP 26 2011
(enter date affidavit is notarized)

112644a

for Application No. (s): PCA 2004-DR-023-03
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: SEP 26 2011
(enter date affidavit is notarized)

112644a

for Application No. (s): PCA 2004-DR-023-03
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

Lori R. Greenief

(check one)

Applicant

Applicant's Authorized Agent

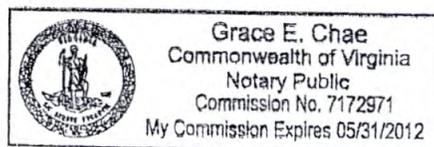
Lori R. Greenief, Land Use Planner

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 26th day of September 20 11, in the State/Comm. of Virginia, County/City of Fairfax.

Grace E. Chae
Notary Public

My commission expires: 5/31/2012



SPECIAL EXCEPTION AFFIDAVIT

DATE: SEP 26 2011
(enter date affidavit is notarized)

I, Lori R. Greenlief, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 112645a

in Application No.(s): SEA 00-D-006-04
(enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS,** and **LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS,** and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner,** etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Trinity Group, LLC Agent: Glenn A. Youngkin Derek G. Rust	1001 Pennsylvania Avenue, NW Washington, DC 20004	Applicant/Contract Purchaser of Tax Map Number 21-3 ((1)) 56A
Oakcrest School Agent: Ellen M. Cavanagh	850 Balls Hill Road McLean, VA 22101	Title Owner of Tax Map Number 21-3 ((1)) 56A
VIKA, Incorporated Agent: John F. Amatetti Bryne D. Riley	8180 Greensboro Drive, Suite 200 McLean, VA 22102	Engineer/Agent
M.J. Wells & Associates, Inc. Agent: Jami L. Milanovich William F. Johnson Brent M. Tucker Robin L. Antonucci	1420 Spring Hill Road, Suite 600 McLean, VA 22102	Traffic Consultant/Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)

DATE: SEP 26 2011
(enter date affidavit is notarized)

112645a

for Application No. (s): SEA 00-D-006-04
(enter County-assigned application number (s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. David R. Gill Jonathan P. Rak Gregory A. Riegle Mark M. Viani Kenneth W. Wire Sheri L. Akin Lisa M. Chiblow Lori R. Greenlief	1750 Tysons Boulevard, Suite 1800 Tysons Corner, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: SEP 26 2011
(enter date affidavit is notarized)

112645a

for Application No. (s): SEA 00-D-006-04
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)

Trinity Group, LLC
1001 Pennsylvania Avenue, NW
Washington, DC 20004

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

Suzanne S. Youngkin

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Special Exception Attachment to Par. 1(b)

SEP 26 2011

DATE: _____
(enter date affidavit is notarized)

112645a

for Application No. (s): SEA 00-D-006-04
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

VIKA, Incorporated
8180 Greensboro Drive, Suite 200
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

John F. Amatetti	Mark G. Morelock
Charles A. Irish, Jr.	Jeffrey B. Amateau
Harry L. Jenkins	Kyle U. Oliver
Robert R. Cochran	P. Christopher Champagne

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

M.J. Wells & Associates, Inc. Employee
Stock Ownership Trust (ESOT). All
employees are eligible plan participants;
however, no one employee owns more than
10% of any class of stock.

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

SEP 26 2011

DATE: _____
(enter date affidavit is notarized)

112645a

for Application No. (s): SEA 00-D-006-04
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Oakcrest School
850 Balls Hill Road
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Oakcrest School is a District of Columbia corporation (non-profit and non-stock)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: SEP 26 2011
(enter date affidavit is notarized)

112645a

for Application No. (s): SEA 00-D-006-04
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

(check if applicable) [X] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Equity Partners of McGuireWoods LLP

- Adams, John D.
Alphonso, Gordon R.
Anderson, Arthur E., II
Anderson, Mark E.
Andre-Dumont, Hubert
Bagley, Terrence M.
Barger, Brian D.
Barnum, John W.
Becker, Scott L.
Becket, Thomas L.
Beil, Marshall H.
Belcher, Dennis I.
Bell, Craig D.
Beresford, Richard A.
Bilik, R. E.
Blank, Jonathan T.
Boland, J. W.
Brenner, Irving M.
Brooks, Edwin E.
Brose, R. C.
Burk, Eric L.
Busch, Stephen D.
Cabaniss, Thomas E.
Cacheris, Kimberly Q.
Cairns, Scott S.
Capwell, Jeffrey R.
Cason, Alan C.
Chaffin, Rebecca S.
Cobb, John H.
Cogbill, John V., III

(check if applicable) [X] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Special Exception Attachment to Par. 1(c)

DATE: SEP 26 2011
(enter date affidavit is notarized)

112645a

for Application No. (s): SEA 00-D-006-04
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

- | | | |
|------------------------|---------------------------|----------------------------|
| Covington, Peter J. | Gibson, Donald J., Jr. | Kilpatrick, Gregory R. |
| Cramer, Robert W. | Glassman, Margaret M. | King, Donald E. |
| Cromwell, Richard J. | Glickson, Scott L. | King, Sally D. |
| Culbertson, Craig R. | Gold, Stephen (nmi) | Kittrell, Steven D. |
| Cullen, Richard (nmi) | Goldstein, Philip (nmi) | Kobayashi, Naho (nmi) |
| Cutler, Christopher M. | Grant, Richard S. | Kratz, Timothy H. |
| Daglio, Michael R. | Greenberg, Richard T. | Krueger, Kurt J. |
| De Ridder, Patrick A. | Grieb, John T. | Kutrow, Bradley R. |
| Dickerman, Dorothea W. | Harmon, Jonathan P. | La Fratta, Mark J. |
| DiMattia, Michael J. | Harmon, T. C. | Lias-Booker, Ava E. |
| Dooley, Kathleen H. | Hartsell, David L. | Lieberman, Richard E. |
| Downing, Scott P. | Hatcher, J. K. | Little, Nancy R. |
| Edwards, Elizabeth F. | Hayden, Patrick L. | Long, William M. |
| Ensing, Donald A. | Hayes, Dion W. | Manning, Amy B. |
| Ey, Douglas W., Jr. | Heberton, George H. | Marianes, William B. |
| Farrell, Thomas M. | Hedrick, James T., Jr. | Marks, Robert G. |
| Feller, Howard (nmi) | Horne, Patrick T. | Marshall, Gary S. |
| Fennebresque, John C. | Hosmer, Patricia F. | Marshall, Harrison L., Jr. |
| Foley, Douglas M. | Hutson, Benne C. | Marsico, Leonard J. |
| Fox, Charles D., IV | Isaf, Fred T. | Martin, Cecil E., III |
| France, Bonnie M. | Jackson, J. B. | Martin, George K. |
| Franklin, Ronald G. | Jarashow, Richard L. | Martinez, Peter W. |
| Fratkin, Bryan A. | Jordan, Hilary P. | Mason, Richard J. |
| Freedlander, Mark E. | Kanazawa, Sidney K. | Mathews, Eugene E., III |
| Freeman, Jeremy D. | Kannensohn, Kimberly J. | Mayberry, William C. |
| Fuhr, Joy C. | Katsantonis, Joanne (nmi) | McCallum, Steven C. |
| Gambill, Michael A. | Kerr, James Y., II | McDonald, John G. |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

Special Exception Attachment to Par. 1(c)

DATE: SEP 26 2011
(enter date affidavit is notarized)

112645a

for Application No. (s): SEA 00-D-006-04
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

- | | | |
|----------------------------|-------------------------|---------------------------|
| McElligott, James P. | Rakison, Robert B. | Steen, Bruce M. |
| McFarland, Robert W. | Reid, Joseph K., III | Stein, Marta A. |
| McIntyre, Charles W. | Richardson, David L. | Stone, Jacquelyn E. |
| McLean, J. D. | Riegle, Gregory A. | Swan, David I. |
| McRill, Emery B. | Riley, James B., Jr. | Tackley, Michael O. |
| Moldovan, Victor L. | Riopelle, Brian C. | Tarry, Samuel L., Jr. |
| Muckenfuss, Robert A. | Roberts, Manley W. | Thornhill, James A. |
| Muir, Arthur B. | Robinson, Stephen W. | Van der Mersch, Xavier G. |
| Murphy, Sean F. | Rogers, Marvin L. | Vaughn, Scott P. |
| Natarajan, Rajsekhar (nmi) | Rohman, Thomas P. | Vick, Howard C., Jr. |
| Neale, James F. | Rosen, Gregg M. | Viola, Richard W. |
| Nesbit, Christopher S. | Rust, Dana L. | Wade, H. L., Jr. |
| Nickens, Jacks C. | Satterwhite, Rodney A. | Walker, John T., IV |
| O'Grady, Clive R. | Scheurer, P. C. | Walker, W. K., Jr. |
| O'Grady, John B. | Schewel, Michael J. | Walsh, James H. |
| O'Hare, James P. | Schill, Gilbert E., Jr. | Watts, Stephen H., II |
| Oakey, David N. | Schmidt, Gordon W. | Westwood, Scott E. |
| Oostdyk, Scott C. | Sellers, Jane W. | Whelpley, David B., Jr. |
| Padgett, John D. | Shelley, Patrick M. | White, H. R., III |
| Parker, Brian K. | Simmons, L. D., II | White, Walter H., Jr. |
| Phears, H. W. | Simmons, Robert W. | Wilburn, John D. |
| Phillips, Michael R. | Skinner, Halcyon E. | Williams, Steven R. |
| Plotkin, Robert S. | Slone, Daniel K. | Wren, Elizabeth G. |
| Pryor, Robert H. | Spahn, Thomas E. | Young, Kevin J. |
| Pusateri, David P. | Spitz, Joel H. | |
| Rak, Jonathan P. | Stallings, Thomas J. | |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: SEP 26 2011
(enter date affidavit is notarized)

112645a

for Application No. (s): SEA 00-D-006-04
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: SEP 26 2011
(enter date affidavit is notarized)

112645a

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

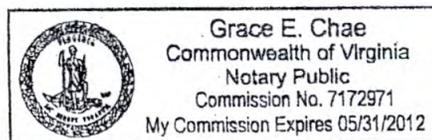
(check one) Applicant Applicant's Authorized Agent

Lori R. Greenief, Land Use Planner
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 26th day of September 2011, in the State/Comm. of Virginia, County/City of Fairfax

Grace E. Chae
Notary Public

My commission expires: 5/31/2012



STATEMENT OF JUSTIFICATION
FOR
SPECIAL EXCEPTION AMENDMENT and PROFFERED CONDITIONAL
AMENDMENT APPLICATIONS

RECEIVED
Department of Planning & Zoning
MAY 03 2011
Zoning Evaluation Division

Holy Trinity Georgetown Pike (Trinity Group LLC)
850 Balls Hill Road

March 11, 2011
Revised May 2, 2011

Pursuant to Sections 3-104(3)(K) and 9-310 of the Fairfax County Zoning Ordinance, dated August 14, 1978, as amended (the "Ordinance"), Trinity Group LLC (Holy Trinity Georgetown Pike), hereby requests approval of an amendment to SEA 00-D-006-3 located at 850 Balls Hill Road, McLean, Virginia to allow a church and a private school of general education on the property. The property is further identified as Tax Map Reference Number 21-3-((1))-56A (the "Property"). The Property is located in the Dranesville District and is zoned R-1, Residential, 1 Dwelling Unit per Acre.

Location:

The Property is located in the northwest quadrant of the intersection of Georgetown Pike and Balls Hill Road. The Beltway is located immediately to the west. Single family detached homes, on land zoned R-1, are located to the east. Cooper Intermediate School is located to the south across Georgetown Pike.

Background:

The Oakcrest School has been operating at 850 Balls Hill Road in McLean, Virginia for 10 years pursuant to SEA 00-D-006. The Oakcrest special exception approval has been amended several times since the original approval as the school adapted the existing church building for its purposes.

Request:

Holy Trinity Georgetown Pike is requesting approval to operate a church and school on the property within the existing building. Oakcrest School will eventually be relocating to a new campus and the church would like to retain the ability to house a school use on the property. The Applicant intends to operate the school within the existing well-established parameters set by the development conditions for Oakcrest School. The church and school use will be carefully regulated so as not to conflict regarding hours of operation. There are no physical changes proposed for the property. The existing school use is under special exception and the property is proffered pursuant to the approval of PCA 2004-DR-023. Amendments to both of those approvals are requested.

Description of Special Exception/GDP Plat:

The existing 24,162 square foot building is located in the northern portion of the triangularly-shaped property. Farther to the north of the building are two modular trailers which have an identified term specified in the existing approved conditions. The Applicant will honor that term (August 2, 2015). The majority of the 209 parking spaces are located in the southern portion of the property with 21 located in the northernmost portion near the modular trailers.

There are three access points to the property: one across from Country Meadow Court, one across from Holyhood Drive and one in the northern portion of the property accessing the trailers. A significant amount of vegetation has been planted pursuant to the various approvals on the Property and such vegetation is maturing and well maintained.

Response to Sect. 9-011

The following information is provided pursuant to Section 9-011 of the Fairfax County Zoning Ordinance:

- A. Type of operation: Place of Worship and Private School of General Education, Grades 6 through 12.
- B. Hours of operation: Oakcrest School currently operates under an extensive set of development conditions relative to hours of operation. The same parameters for the school use are requested with this application. It is noted that normal after-school activities are required to end by 6:00pm and the school is permitted some evening activities during the week. The church will not conduct evening meetings that would conflict with any held by the school use.
- C. Estimated number of pupils/seats: 300 students for the school. The church will utilize the existing sanctuary which may or may not reflect the ultimate seating capacity of the church use. The Applicant recognizes the need, through proffers and conditions, to balance the timing, schedule and magnitude of various services, events and activities so that the same are consistent with the available parking and do not create adverse impacts on the surround community.
- D. Proposed number of employees: 95 teachers/staff combined
- E. Estimate of traffic impact: A traffic study was conducted and is included with these applications. The study concluded that signal timing adjustment at two intersections are necessary in order to mitigate the impact of the church use during the Sunday peak hour.
- F. Vicinity or general area to be served by the use: McLean, Great Falls, generally Northern Fairfax County

- G. Architectural compatibility: There are no physical changes proposed for the Property.
- H. Hazardous and toxic substances: To the best of the Applicant's knowledge, there are no known or proposed hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4, and 355, hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations, or petroleum products as defined in Title 40, Code of Federal Regulations Part 280, to be generated, utilized, stored, treated, and/or disposed of on site.
- I. Statement of conformance: To the best of the Applicant's knowledge, the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards, and any applicable conditions.

Conformance with Sect.. 9-304 and 9-310

As required by Sect. 9-304, the use meets the lot size and bulk regulations of the R-1 Zoning District as well as the performance standards specified in the Ordinance. Variances were previously granted for the location of the existing church building. The outdoor fields and tennis courts are not lit.

With regard to Sect. 9-310, adequate outdoor recreation area is provided as shown on the SE plat and the lot meets the minimum lot size requirements for the District.

Conformance with Sect. 9-006

The proposed use is in harmony with the adopted Comprehensive plan, the general purpose and intent of the R-1 Zoning District regulations and the surrounding area. The Property has previously been used as a church and school and at that time, was deemed to be in conformance with the Comprehensive Plan and the intent of the R-1 District. A traffic study has been completed for the property. Due to the differing hours of operations between the two uses, it is anticipated that the increase in traffic impact will be minimal.

While there is no specific open space requirement in the R-1 District except for cluster subdivisions (30%), approximately 40 % of the site is in open space. The site is served by public water and sewer. Stormwater management and BMP's meet the regulations as no additional impervious surface is being added. Pursuant to Par. 3 of Sect. 11-103, the Applicant requests that, based on off-set hours of operation for the church and the school use, the parking be deemed adequate rather than requiring a cumulative total for the two uses. A parking study will be submitted which reflects this request.

Waivers:

It is noted that there have been waivers from various requirements approved previously on the property. With the request for the installation of the sports courts, a locational waiver was granted pursuant to Sect. 9-624. Additionally, when the existing building and when the modular trailers were approved and installed, a waiver of the required 75 foot setback from I-495 was granted. A modification of the transitional screening and barrier requirements along Balls Hill Road and Georgetown Pike were also originally granted by the Board of Zoning Appeals in 1998 and reaffirmed by the Board of Supervisors in 2004. The Applicant requests that the approval of these waivers carry forward.

Proffered Condition Amendment

The Applicant requests an amendment to the Proffers dated June 1, 2007 to revise the date on the SEA/GDP plat to reflect the new plat being submitted with this SEA amendment application.

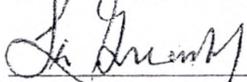
Conclusion:

There are no physical changes proposed for the site and therefore, no increase in bulk or massing on the Property. The Applicant commits to operating the school within the existing parameters set by the development conditions and also commits to ensuring that the church use and school use will operate in harmony with each other and with the neighborhood.

For the reasons set forth herein, the Applicant respectfully requests the approval of this Special Exception amendment application.

Respectfully submitted,

McGUIREWOODS LLP



Lori R. Greenlief
Land Use Planner

Statement by David Paul and Richard C. Schmitt

McLean Citizen's Association

Tuesday, September 27, 2011

(To be submitted into the record in lieu of personal appearance)

My name is David Paul and I reside at 7013 Holyrood Drive, McLean, Virginia and my name is Richard Schmitt and I reside at 7106 Holyrood Drive, McLean, Virginia. Thank you for the opportunity to submit this statement to the McLean Citizen's Association in support of the application submitted by The Trinity Group for a Special Exception Amendment (SEA) to operate a church and school on Balls Hill Road in Fairfax County.

For the past ten years, we have served as the liaison between the neighbors on Holyrood Drive and Oakcrest School the current owner of the property. We can state unequivocally that Oakcrest has been an outstanding neighbor, has been sensitive to the needs of the community, and has communicated with us honestly, regularly and accurately on all matters of interest to the joint parties. We anticipate that this relationship will continue with the Trinity Group.

Earlier this year Oakcrest School informed us that they had signed a contract with the Trinity Group to purchase the Oakcrest School property on Balls Hill Road. We have met multiple times with Glenn Youngkin and other representatives of the Trinity Group to better understand their intended use of the property. We have reviewed the conditions for the Special Exception Amendment (SEA) requested by the Trinity Group and have

discussed with Trinity several changes for inclusion in the SEA primarily related to parking, planned long term use of the property and enforcement mechanisms for parking and traffic control. Trinity has been cooperative during these discussions and has agreed to make the requested changes. We are satisfied with the results of these discussions and support the revised terms of the SEA that will dictate the use of the property upon acquisition by The Trinity Group.

We have known and worked closely with Ellen Cavanagh, Head of Oakcrest School for the past decade. Ellen is the consummate professional and possesses an instinct on how to be a good neighbor. She has been very accessible and addresses all issues before they become problems. We look forward to this same relationship with the Trinity Group.

Our neighborhood understands the rationale and the decision for Oakcrest to relocate because of the need for more space. But speaking for our neighborhood, we are very sorry that Oakcrest School is moving. We have enjoyed having Oakcrest as a neighbor, working closely with them over the past decade and we wish them nothing but success going forward. Trinity has said that they plan to be an equally good neighbor as Oakcrest and their actions through these discussions support this intent. We look forward to having the Trinity Group as our new neighbors as much as we have enjoyed having Oakcrest School for the past decade.

David Paul and Richard C. Schmitt

September 27, 2011

Appendix 6 -
 Parking/Seats Ratio Analysis For Places of Worship with 700-900 Seats

Case Number	Applicant	Address	Parking Spaces	Seats	Parking Rate	Children's Facility	Students
SPA 84-L-071-4	Calvary Road Baptist	6811 Beulah Street	234	702	3.00	Child Care Center and School	350
SEA 85-L-001	Calvary Road Baptist	6811 Beulah Street	215	702	3.27	Child Care Center	240
SPA 76-A-230-2	Korean Presbyterian Church of Washington	9526 Braddock Road	187	724	3.87	None	
SP 82-D-066	Christian Fellowship Church	10237 Leesburg Pike	361	725	2.01	Child Care Center	100
SPA 82-D-066-3	Christian Fellowship Church	10237 Leesburg Pike	386	725	1.88	Child Care Center, School, and Nursery School	99
SPA 82-D-066-4	Christian Fellowship Church	10237 Leesburg Pike	386	794	2.06	Child Care Center	99
SPA 82-D-066-5	International Church of the Four Square Gospel	10237 Leesburg Pike	386	725	1.88	Child Care Center	386
SPA 85-D-034-2	McLean Presbyterian Church	1020 Balls Hill Road	277	736	2.66	None	
SPA 85-D-034-3	McLean Presbyterian Church	1020 Balls Hill Road	277	736	2.66	None	
SPA 85-D-034-4	McLean Presbyterian Church	1020 Balls Hill Road	328	736	2.24	None	
SPA 85-D-034-5	McLean Presbyterian Church	1020 Balls Hill Road	328	736	2.24	School	33
SE 93-Y-036	Fairfax Church of Christ	3901 Rugby Road	344	760	2.21	Nursery School	240
SEA 93-Y-036	Fairfax Church of Christ	3901 Rugby Road	257	760	2.96	Nursery School	240
SPA 79-D-143-2	Lutheran Evangelical Church of the Redeemer	1545 Chain Bridge Road	194	776	4.00	Child Care Center	200
SPA 99-Y-046-1	Trustees of Church of the Apostles (Episcopal)	11814 Braddock Road	425	800	1.88	None	
SP 97-Y-013	Victory Christian Church	4300 Pleasant Valley Road	209	800	3.83	None	
SEA 85-D-062-2	St. Luke's School	7005 Georgetown Pike	227	800	3.52	School	250
SE 95-S-038	Church of the Nativity	6400 Nativity Lane	301	800	2.66	School	450
SPA 77-A-041-2	St. Mary of Sorrows	5222 Sideburn Road	243	800	3.29	Nursery School	99
SPA 81-S-070-1	Church of the Nativity	6400 Nativity Lane	305	800	2.62	None	
SPA 82-Y-072-1	Bethlehem Baptist Church	7836 Fordson Road	229	800	3.49	None	
SPA 73-S-113	Jerusalem Baptist Church	5424 Ox Road	267	836	3.13	Child Care Center	85
SE 98-M-009	Queen of Apostles Church	4329 Sano Street	270	843	3.12	School	500
SPA 82-Y-035	Good Shepherd Catholic Church	8710 Mount Vernon Hwy.	330	875	2.65	None	
SPA 82-Y-035-2	Good Shepherd Catholic Church	8710 Mount Vernon Hwy.	333	875	2.63	None	
SPA 95-S-029-01	Trustees of Seoul Presbyterian Church	6426 Ox Road	333	900	2.70	None	
Averages			287	810	2.93		



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

June 18, 2007

Gregory A. Riegle
McGuire Woods, LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

RE: Proffered Condition Amendment Application PCA 2004-DR-023-2
(Concurrent with SEA 00-D-006-03)

Dear Mr. Riegle:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on June 18, 2007, approving Proffered Condition Amendment Application PCA 2004-DR-023-2 in the name of Oakcrest School. The Board's action amends the proffers previously approved for a private school of general education to permit modifications to the approved proffers with an overall Floor Area Ratio (FAR) of 0.11, (concurrent with Special Exception Amendment Application SEA 00-D-006-03). The subject property is located in the northwest quadrant of the intersection of Georgetown Pike and Balls Hill Road, at 850 Balls Hill Road, on approximately 5.46 acres of land zoned R-1 [Tax Map 21-3 ((1)) 56A], in the Dranesville District and is subject to the proffers dated June 1, 2007.

The Board also:

- Waived Section 2-414 of the Zoning Ordinance to permit the modular classrooms to be located 30 feet from I-495, as shown on the Generalized Development Plan/Special Exception Amendment (GDP/SEA) Plat.
- Modified the transitional screening requirement along the eastern and southern property lines to the existing landscaping, as depicted on the GDP/SEA Plat.
- Waived the barrier requirement along the eastern and southern property lines.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors
NV/dms
Enclosure

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 18th day of June, 2007, the following ordinance was adopted.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 2004-DR-023-2
(CONCURRENT WITH SEA 00-D-006-03)**

WHEREAS, Oakcrest School filed in the proper form an application requesting amendment to the plan of a certain parcel of land, hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

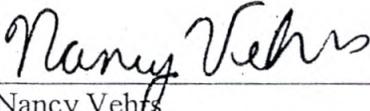
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Dranesville District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 18th day of June, 2007.



Nancy Vehrs
Clerk to the Board of Supervisors

PROFFERS
PCA 2004-DR-023-02
June 1, 2007

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned for themselves, their successors, and assigns in PCA 2004-DR-023-02, proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Reference 21-3 ((1)) 56A (hereinafter referred to as the "Property") will be in accordance with the following conditions (the "Proffered Conditions"), if and only if, said PCA request is granted. In the event said PCA request is denied, these Proffered Conditions shall be null and void. The Owner and Applicant, for themselves, their successors and assigns hereby agree that these Proffered Conditions shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. These Proffered Conditions supersede those adopted in conjunction with the approval PCA 2004-DR-023. The Proffered Conditions are:

1. GENERALIZED DEVELOPMENT PLAN ("GDP")
 - a. Development of the Application Property shall be in substantial conformance with the SEA Plat/GDP, which was prepared by Vika dated April 25, 2006 as revised through January 24, 2007.
 - b. The Applicant reserves the right to make minor adjustments to the modular buildings' orientation, at time of site plan submission based on final engineering design, provided that such adjustments do not decrease the amount and general location of open space, parking, or minimum distances to peripheral lot lines, that the general orientation of the modular buildings that are shown on the GDP is maintained, and are in substantial conformance with the GDP and proffers.
2. Applicant shall utilize materials on the modular buildings with the following characteristics to achieve a maximum interior noise level of 45 of BA Ldn:
 - a. Exterior walls shall have a laboratory STC rating of at least 39.
 - b. Doors and windows shall have a laboratory STC rating of at least 28. If windows constitute more than 20% of any façade, they should have the same laboratory STC as walls.

Signature on Following Page

Oakcrest School
A District of Columbia corporation

By: *Roger F. Naill* (seal)

Name: Roger F. Naill

Title: President, Board of Directors



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

June 18, 2007

Gregory A. Riegle
McGuire Woods, LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

Re: Special Exception Amendment Application SEA 00-D-006-03
(Concurrent with PCA 2004-DR-023-2)

Dear Mr. Riegle:

At a regular meeting of the Board of Supervisors held on June 18, 2007, the Board approved Special Exception Amendment Application SEA 00-D-006-03 (Concurrent with Proffered Condition Amendment Application PCA 2004-DR-023-2) in the name of Oakcrest School. The subject property is located in the northwest quadrant of the intersection of Georgetown Pike and Balls Hill Road, at 850 Balls Hill Road, on approximately 5.46 acres of land zoned R-1 in the Dranesville District [Tax Map 21-3 ((1)) 56A]. The Board's action amends Special Exception Application SE 00-D-006, previously approved for a private school of general education to decrease the amount of provided parking, to permit outdoor sports courts, to permit a 10-foot high fence to be located around the outdoor sports courts pursuant to Section 9-624 of the Zoning Ordinance, to permit existing temporary trailers to remain longer, to permit summer activities, to modify the requirement for a traffic marshal, to increase the opportunities to lease the facility, to reduce the SEA land area, and to permit associated modifications to site design and development conditions pursuant to Section 3-104 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions. The use of the properties is limited to the use authorized by this Special Exception and no other use may be made of the subject property.
3. A copy of this Special Exception and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

Office of Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903

June 18, 2007

4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception plat entitled, Oakcrest School, prepared by VIKA, dated April 25, 2006, and as revised through January 24, 2007, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. The maximum daily enrollment of the private school of general education shall be limited to 300 students in grades 6-12.
6. Normal hours of operation for the School shall be limited to 7:00 a.m. until 5:00 p.m., Monday through Friday. Class hours shall be limited to approximately 7:50 a.m. until 3:00 p.m., Monday through Friday. Evening hours of operation for parent/teacher conferences and similar activities shall be limited to until 11:00 p.m. Monday through Friday. Normal extracurricular activities and other school-only activities shall end by 6:00 p.m., daily. Other school activities, such as fundraising events, school plays, musicals and concerts, shall end by 12:00 midnight.
7. Any on-site summer camp and summer school activities shall be subject to the following restrictions:
 - No more than one session of summer camp and summer school activities may take place on-site per day.
 - The total maximum daily enrollment in summer camp and summer school activities shall not exceed 300 participants, provided that it can be demonstrated to DPWES and DPZ that all required parking can be provided on-site. The maximum daily enrollment in the summer program shall be phased as follows:
 - 2007: 100 students
 - 2008: 200 students
 - 2009 on: 300 students
 - Participants shall be limited to students entering 1st grade through 12th grade; however, in order to limit the amount of outdoor activities and to address noise concerns, on a daily basis there shall be no more than 50 students entering 1st grade through 4th grade on site at any one time.
 - Summer camp and summer school activities may begin one week after the official end of the school year for Oakcrest School and

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must terminate no later than two (2) weeks before the official start of the school year for Oakcrest School.

- The hours of operation of the summer camp and summer school activities shall be limited to 8:00 AM to 5:00 PM, Monday through Friday.
 - In order to address possible noise issues, outside activities shall be limited to no more than 50 people at any one time and shall only be permitted between the hours of 8:00 AM to 4:00 PM.
 - During any summer camp and summer school activities having a maximum daily enrollment of 100 students or more, a traffic marshal shall be provided to direct and control traffic at the School's primary entrance from Balls Hill Road, for two 30 minute periods per weekday, defined as the one-half hour before the beginning of summer camp and summer school activities and 30 minutes after the summer camp and summer school activities, Monday through Friday. In addition, the starting and ending times of summer camp and summer school activities shall be coordinated to the maximum extent possible in order to stagger the arrival and departure time of traffic.
 - However, following January 1, 2009, upon demonstration by the applicant that 1) arrival and departure patterns do not cause congestion at the site entrances as evidenced by any entrance study reviewed by Fairfax County Department of Transportation (FCDOT); and 2) submission of a petition of non-opposition signed by the 24 residents on Holyrood Drive, the Zoning Administrator or his/her designee may administratively suspend the use of a traffic marshal for summer school and summer camp activities. In the event, a written complaint regarding summer school/summer camp traffic is received by FCDOT or the Department of Planning and Zoning (DPZ), the Zoning Administrator may administratively reinstate the requirement to use a traffic marshal as described above in which case, no subsequent request for administrative suspension of the traffic marshal requirement shall be made for a period of two years.
8. The School shall be permitted to lease its facilities to community organizations, not affiliated with or sponsored by the School subject to the following restrictions:
- The leasing of facilities shall not be permitted during normal school hours of operation (7:00 AM to 6:00 PM, Monday through Friday).

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- The School may lease the facility a maximum of eight (8) times per month; however, no more than four (4) events per month shall have more than fifty (50) people in attendance. Any events which have more than fifty (50) people in attendance will be required to provide a traffic marshal to direct and control traffic at the School's primary site entrance on Balls Hill Road, for two 30 minute periods, defined as the one-half hour before the scheduled start of the event and 30 minutes after the scheduled end of the event.
 - However, following January 1, 2009, upon demonstration by the applicant that 1) arrival and departure patterns do not cause congestion at the site entrances as evidenced by any entrance study reviewed by Fairfax County Department of Transportation (FCDOT); and 2) submission of a petition of non-opposition signed by the 24 residents on Holyrood Drive, the Zoning Administrator or his/her designee may administratively suspend the use of a traffic marshal for community organization events. In the event, a written complaint regarding community organization event traffic is received by FCDOT or the Department of Planning and Zoning (DPZ), the Zoning Administrator may administratively reinstate the requirement to use a traffic marshal as described above in which case, no subsequent request for administrative suspension of the traffic marshal requirement shall be made for a period of two years.
 - Community organization events shall terminate by 11 PM.
9. Transitional screening requirements along Balls Hill Road shall be modified to permit the existing landscaping to satisfy the screening requirement with the following conditions:
- All of the landscaping shown on the Landscape Plan approved by the BZA with SPA 73-D-151-5 shall be provided on the site, as determined by Urban Forest Management (UFM), DPWES.
 - Evergreen trees shall be provided in front of all of the parking spaces between the main parking lot and the stormwater management pond to provide continuous year-round full screening of the parked vehicles and headlight glare, subject to UFM approval.
 - The parking lot located north of the existing building shall be screened with evergreen trees or shrubs to the extent feasible given

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the narrow width of the planting strip between the parking spaces and the road, subject to UFM approval.

- All diseased and/or dying plant material shall be replaced as necessary to maintain a continuous year-round screen, particularly between the parking areas and the residential neighborhood, as approved by UFM.
10. All vehicle parking shall be provided on-site. If additional parking is required during any special and occasional school-sponsored functions or when the facility is leased to community organizations, the School shall utilize appropriate off-site parking facilities from which participants shall be transported by shuttle bus to the event. Shuttle bus traffic shall not use local residential streets (including, but not limited to Holyrood Drive, Benjamin Street and Lawton Street) to reach off site parking locations. Information detailing the location of off-site parking areas and shuttle bus details shall be included in all advertisements and notices for these events. In addition, a traffic marshal shall be provided to direct and control traffic at the School's entrance on Balls Hill Road, at the median break opposite Holyrood Drive, for two 30 minute periods, defined as the one-half hour before the scheduled start of the event and 30 minutes after the scheduled end of the event. The School shall provide adequate traffic controls for such overflow parking. The School shall take all reasonable actions to prevent on-site parking by commuters or other parking not related directly to the operation of the school.
 11. If determined necessary by the Fairfax County Department of Transportation (FCDOT) based on documented complaints received by any County Agency or County Official, the School shall provide a traffic marshal to direct and control school traffic at the School's entrance on Balls Hill Road, at the median break, for two 30 minute periods per school day, defined as the one-half hour before the beginning of classes and 30 minutes after the end of classes, Monday through Friday, on school days during the regular school year and anytime attendance on the site is expected to equal or exceed that which occurs during the regular school day as a result of students, staff, and visitors. Prior to the imposition of any requirement for a traffic marshal, FCDOT shall notify the school of the nature and substance of any documented complaints and provided a reasonable opportunity to voluntarily take appropriate corrective action.
 12. Parking spaces shall not be used for any purpose which interferes with their parking use by faculty, staff, students, and visitors to the school. Equipment and/or vehicles may only be stored in parking spaces designated as excess parking. Any school buses or vans which park on site overnight shall park on the side of the building adjacent to the I-495 noise wall.
 13. Any new outdoor lighting shall be in conformance with the Performance Standards for Outdoor Lighting contained in Part 9 of Article 14 of the Zoning Ordinance. The maximum height of the light standards and fixtures shall not

June 18, 2007

- exceed twelve (12) feet. Except for emergency safety lights, parking lot lighting shall be extinguished no later than 10:00 p.m. daily with the exception of special events subject to Development Conditions 6 and 8 above. Except for emergency safety lights, all interior lights shall be extinguished no later than 10:00 p.m. daily with the exception of special events subject to Development Conditions 6 and 8 above.
14. Except for emergencies, the use of outdoor loudspeakers shall be prohibited. There shall be no exterior bells or buzzers. The lawns shall not be mowed on weekends.
 15. The trash dumpster shall be fully screened from view by a masonry wall which has been designed to be compatible with the building materials, as determined by DPWES. Trash removal shall not occur before 7:00 a.m. On the days of trash pick-up, the subject site shall be patrolled by employees to pick up any trash on-site and to ensure that the doors to the dumpster enclosure are fully closed and in good working condition.
 16. Stormwater management, including BMPs, shall be provided for as determined by DPWES.
 17. Prior to the first day of school each year, the School administration shall establish a neighborhood liaison committee to meet with interested neighbors on a quarterly basis to discuss and address neighborhood concerns regarding the operation of the School as it relates to impacts on the surrounding neighborhood. The neighborhood liaison committee shall publish a contact person and telephone number and provide the information to the Dranesville Supervisor's office prior to the first day of school each year.
 18. All car pool stacking shall occur on-site.
 19. The School administration shall establish a car pool coordinator to promote the maximum use of car pools with maximum occupancy vehicles.
 20. Students, faculty, and parents shall be instructed not to use surrounding local residential streets including, but not limited to Holyrood Drive, Benjamin Street or Lawton Street to access Georgetown Pike.
 21. The School shall send written notice to the Dranesville District Supervisor's office, the McLean Citizens' Association (MCA), the twenty-four (24) residences on Holyrood Drive, and to the North McLean Neighborhood Preservation Coalition (NMPC), at an address to be provided to the Dranesville District Supervisor's office by the NMPC, six (6) months prior to filing any amendment to this Special Exception. The School may be permitted to file an amendment to this Special Exception without said written notice only if this notice is waived by a

petition signed by the twenty-four (24) residences on Holyrood Drive and the President of the MCA.

22. The two modular classrooms shall be permitted on the subject site as shown on the Special Exception Amendment Plat until August 2, 2015. These modular classrooms shall be similar to those depicted on the attached exhibit. In addition, a row of shrubs shall be planted in front of the proposed modular classrooms and wood deck sitting area to provide additional screening from Balls Hill Road.
23. The proposed storage shed shall be no taller than 8 ½ feet.

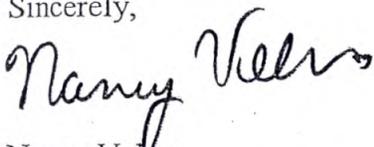
The Board also:

- Waived Section 2-414 of the Zoning Ordinance to permit the modular classrooms to be located 30 feet from I-494, as shown on the Generalized Development Plan/Special Exception Amendment (GDP/SEA) Plat.
- Modified the transitional screening requirement along the eastern and southern property lines to the existing landscaping, as depicted on the GDP/SEA Plat.
- Waived the barrier requirement along the eastern and southern property lines.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as evidenced by the issuance of Non-RUPs for the summer school uses. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Sincerely,



Nancy Velrs
Clerk to the Board of Supervisors
NV/dms

June 18, 2007

Cc: Chairman Gerald E. Connolly
Supervisor Joan DuBois, Dranesville District
Janet Coldsmith, Director, Real Estate Division. Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager. – GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Audrey Clark, Director – Building Plan Review, DPWES
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
Jose Comayagua, Director, Facilities Management
Gary Chevalier, Office of Capital Facilities/Fairfax County Public Schools
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

APPENDIX 8

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area; information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		